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EXAMINER	
LE, MIRANDA	

ART UNIT	PAPER NUMBER
2159	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/748,196	BERLIN ET AL.	
	Examiner	Art Unit	
	MIRANDA LE	2159	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 March 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/30/09 has been entered.

Claims 1-21 are pending in this application. This action is made non-Final.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In accordance with 35 USC § 101, a patentable process must (1) be tied to a particular apparatus or machine or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. *See In re Bilski,* 2007-1130 (Fed. Cir. 2008) *slip op at* 10-11 ("The Supreme Court, however, has enunciated a definitive test to determine whether a process claim is tailored narrowly enough to encompass only a particular application of a fundamental principle rather than to pre-empt the principle itself. A claimed process is surely

patent-eligible under § 101 if: (1) it is tied to a particular machine or apparatus, or (2) it transforms a particular article into a different state or thing").

Independent claim 1 is not tied to a particular apparatus or machine because the steps of "accessing a private source; accessing a target dataset ..." do not necessarily involve the use of a computer or machine. The method of claim 1 defines a sequence of operational steps that encompasses within its scope merely a set of mental manipulations that provides an output remaining in the mental realm. Therefore, claim 1 is not tied to a particular apparatus or machine.

In addition, claim 1 does not transform the underlying subject matter (data) into a different state or thing. Thus, claim 1 is directed to a non-statutory process.

Independent claim 10 has the same issue as claim 1, therefore, is similarly rejected.

Claims 2-9, 11-16, are dependent upon claims 1, 10, do not add any limitations which correct the deficiencies of claims 1, 10, and are therefore also similarly rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-6, 9-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Singhal et al. (US Patent No. 6,938,022), in view of Arndt, Jeffrey A. et al. (US Pub No. 20050027672), and further in view of Mather, Robert et al. (US Pub No. 20040088173).

As per claim 1, Singhal teaches a method of delivering a non-uniquely identified name that substantially corresponds to a uniquely identified person, the method comprising:

accessing a private *(i.e. private data 25, col. 4, lines 35-41)* source dataset *(i.e. Identifier Database 38b, col. 7, line 21)*, not derived from public data sources, of uniquely identified persons *(i.e. identifying data 332, See Fig. 3B)*, each person identified by one or more of a globally unique identifier *(i.e. Sequence #1, See Fig. 3B)* remaining same throughout lifetime of each person *(i.e. Examples of identifying data 322 include, a name, an address, a telephone number, a facsimile number, an e-mail address, a social security number, a credit card number, and/or a driver license number of the customer 20. Identifying data 322 may also include other data that can indirectly, independently identify the customer 20, such as a license plate number for a vehicle registered by the customer, or an alias, col. 7, lines 21-35; identifying*

data 332, See Fig. 3B), a source name *(i.e. a name, col. 7, lines 21-35)*, a source unique identifier *(i.e. a social security number, col. 7, lines 21-35)*, a source date of birth *(i.e. the date of birth of the user, col. 9, lines 7-16)*, or a source address *(i.e. an address, col. 7, lines 21-35) (i.e. Referring to FIG. 3B, the information system 12 preferably stores any identifying data 322 of the customer 20 in the identifying database 38B of the storage device 26. Identifying data 322, as used herein, shall mean any information or data of the customer 20 that if used independently is sufficient to identify the customer 20 to a third party. Examples of identifying data 322 include, a name, an address, a telephone number, a facsimile number, an e-mail address, a social security number, a credit card number, and/or a driver license number of the customer 20. Identifying data 322 may also include other data that can indirectly, independently identify the customer 20, such as a license plate number for a vehicle registered by the customer, or an alias, col. 7, lines 21-35)*;

accessing a target dataset *(i.e. Identifier Database 38A, col. 6, line 44)* containing non-unique persons data *(i.e. anonymous identifier, col. 6, lines 45-55)* derived from one or more public, private, proprietary, restricted access, or related datasets, excluding the private source dataset, the non-unique persons data containing records non-uniquely identified persons not related to each other and having similar data, *(i.e. Customer database 38, col. 6, line 35; Identifier Database 38B, col. 7, line 21; a form that does not identify the customer to the information system, col. 3, lines 10-18)*, each record *(i.e. Anonymous Identifier, col. 8, lines 50)* including one or more target name *(i.e. a name abbreviation of*

the user, col. 9, lines 1-16), a target age *(i.e. The calendar date 408 can be any date selected by the user, col. 9, lines 1-16)*, a target age-date *(i.e. the date of birth of the user, col. 9, lines 1-16)* indicating an exact or approximate date of the target age, a target current and/or previous address, or target phone listings *(i.e. As provided herein, a first element 408 can include the sub-elements of a calendar date. A second element 410 may be a class code of the user 20. A third element 412 may be in the form of a location code of the user 20. A fourth element 414 may be a name abbreviation of the user 20. A fifth element 416 can be a sequence code. The calendar date 408 can be any date selected by the user 20. The calendar date 408 may be a date in the future or a date in the past. Preferably, the calendar date is personal to the user 20 and easy to remember. For example, the calendar date 408 may be the date of birth of the user 20. The calendar date 408, preferably, is in the format of an eight character code of YYYY-MM-DD. The month may also be a three letter representation of the month. The year may also be a four letter representation of the animal that is used to represent a year in a Chinese calendar, col. 9, lines 1-16)*; and

for a particular source person in the source dataset, and in accordance with accessing the target dataset, automatically determining by a multi-stage matching and/or elimination process whether the particular source person corresponds to a particular target person in the target dataset and delivering the determination *(i.e. A method pursuant to the present invention includes the steps of (i) creating an anonymous identifier, (ii) using the anonymous identifier for transferring to, storing and anchoring private information in the information*

system, (iii) transferring to the information system a service request by the customer to receive a service from the service merchant, (iv) providing an optional privacy payment to the service merchant to pay for the service, and (v) making an anonymous delivery of the service from the service merchant to the customer. The information system includes an operating system that is operative with the processor to perform these steps, col. 2, line 65 to col. 3, line 9).

Singhal seems to not explicitly teach:

accessing a target dataset containing non-unique persons data derived from one or more public, private, proprietary, restricted access, or related datasets, excluding the private source dataset, the non-unique persons data containing records non-uniquely identified persons not related to each other and having similar data, each record including one or more target name, a target age, a target age-date indicating an exact or approximate date of the target age, a target current and/or previous address, or target phone listings; and

for a particular source person in the source dataset, and in accordance with accessing the target dataset, automatically determining by a multi-stage matching and/or elimination process whether the particular source person corresponds to a particular target person in the target dataset and delivering the determination.

Arndt fairly teaches:

accessing a target dataset containing non-unique persons data derived from one or more public, private, proprietary, restricted access, or related datasets, excluding the private source dataset, the non-unique persons data

containing records non-uniquely identified persons not related to each other and having similar data, each record including one or more target name, a target age, a target age-date indicating an exact or approximate date of the target age, a target current and/or previous address, or target phone listings *(i.e. [0023] An individual applicant becomes a user or new member by accessing the web site, clicking on the "join" tab and proceeding through a series of drop down boxes, responding to question and data fields to provide the information required to perform the background check. The information includes for example, Full name, sign in ID Name, Creation and Confirmation of a user changeable password, Citizenship, Address, Residence (Previous Addresses), Birth date, Social Security Number, Drivers License Number, Credit Card information including type, billing name, billing address, card number, expiration date. The data is used to create a one time non accessible Member Data Table. Disclaimers and terms of service are incorporated into the pages. Terms of Service include privacy guidelines, policies and procedures for disputing information and appealing background findings, security and turn around time. Links to affiliated sites are also displayable)*; and

for a particular source person in the source dataset, and in accordance with accessing the target dataset, automatically determining by a multi-stage matching and/or elimination process whether the particular source person corresponds to a particular target person in the target dataset and delivering the determination *(i.e. [0025] Credit reports, criminal record checks, social security number and personal references are obtained from third party data bases and*

vendors. The results obtained are manually entered into a Member Results Table. The Member Data and Results tables are only linked via data query and joined by the Member identification code. Options for confirmation of identity via mailed, faxed or emailed photo facsimile of the driver's license, passport or other government identification document or via a check of the new Member's driver's license may also be used; [0026] FIG. 2 diagrams the process of back room verification of Member background information. The results Administrative Background Check Verification (130) using third-party sources are manually entered (135) to a Member Results Data Table (140). The results of the background information verification (130) and the Member Results Data Table (140) are only linked by data query and joined by a unique Member ID (125).

It would have been obvious to one of ordinary skill of the art having the teaching of Singhal and Arndt at the time the invention was made to modify the system of Singhal to include the limitations as taught by Arndt. One of ordinary skill in the art would be motivated to make this combination in order to seek background information in view of Arndt, as doing so would give the added benefit of providing a system for verifying an individual's identity and background on the Internet in a safe, confidential manner and wherein the extent and manner of information are controllable by the person whose identity and background is being verified as taught by Arndt.

Arndt implicitly teaches "for a particular source person in the source dataset, and in accordance with accessing the target dataset, automatically determining by a multi-stage matching and/or elimination process whether the

particular source person corresponds to a particular target person in the target dataset and delivering the determination" as the results Administrative Background Check Verification (130) using third-party sources are manually entered (135) to a Member Results Data Table (140), [0026].

Singhal and Arndt do not clearly state this limitation.

Mather teaches for a particular source person in the source dataset, and in accordance with accessing the target dataset, automatically determining by a multi-stage matching and/or elimination process whether the particular source person corresponds to a particular target person in the target dataset and delivering the determination *(i.e. [0012] It is yet a further objective of the preferred embodiment to allow candidates to check and review background check information and to correct or remove incorrect information from public record searches)*.

It would have been obvious to one of ordinary skill of the art having the teaching of Singhal, Arndt, Mather at the time the invention was made to modify the system of Singhal, Arndt to include the limitations as taught by Mather. One of ordinary skill in the art would be motivated to make this combination in order to conduct individual background checks in view of Mather, as doing so would give the added benefit of providing a system for allowing candidates to check and review background check information and to correct or remove incorrect information from public record searches as taught by Mather.

As per claim 10, Singhal teaches a computer-implemented method of identifying a person, comprising:

retrieving a source dataset of identified target names *(i.e. non-identifying data 324, col. 15, lines 17-37)* and target ages/addresses corresponding to target persons *(i.e. anonymous identifier 320, col. 15, lines 17-37)*,

generating a comprehensive public record dataset by combining multiple disparate public record databases, excluding the source dataset, *(i.e. the merchant database 40, col. 16, lines 18-36)* of data of a general population including the target persons, the data of the general population including non-unique persons data containing records of non-uniquely identified persons not related to each other and having similar data, each record including one or more of a target name, a target age, a target age-date indicating an exact or approximate date of the target age, a target current and/or previous address, or target phone listing *(i.e. FIG. 6C illustrates the transfer of non-identifying data 324 from the information system 12 to the service merchant 22 and the transfer of the service results from the merchant 22 to the customer 20. Initially, the customer 20 is accessing a web page of the merchant 22. Subsequently, the information system 12 receives notice that customer 20 wants to anonymously transfer non-identifying data 324 from the information system 12 to the merchant 22. The information system 12 receives the anonymous identifier 320, the request for the non-identifying data type 360A-D and a merchant identifier 51, col. 16, lines 7-17)*; and

automatically determining by a multi-stage matching and/or elimination process, without uniquely identifying information on a target person *(i.e. The information system 12 sends the requested non-identifying data 324 to the merchant 22. The merchant 22 receives the non-identifying data 324 from the information system 12 via the merchant interface 22A. The merchant 22 can use the non-identifying data 324 to provide an estimate for a service and/or provide the service. Next, the merchant 22 sends the results to the information system 12, col. 16, lines 51-57)* in the source dataset, with substantial certainty that a target name of the target person corresponds with a particular unique individual in the general population, thereby identifying the target the person corresponding to the target name and delivering that determination *(i.e. The Information system 12 receives the service results and forwards the service results to the customer 20. More specifically, the information system 12 uses the sequence number 330 to retrieve the electronic mail address of the customer 20. After retrieving the electronic mail address, the results are forwarded to the customer 20 via the customer interface 20A using the electronic mail address of the customer 20. Alternatively the results may be forwarded to the customer 20 using other ways, such mail using the post office or express mail, col. 16, lines 58-67)*.

Singhal does not seem to teach:

generating a comprehensive public record dataset by combining multiple disparate public record databases, excluding the source dataset, of data of a general population including the target persons, the data of the general population including non-unique persons data containing records of non-uniquely

identified persons not related to each other and having similar data, each record including one or more of a target name, a target age, a target age-date indicating an exact or approximate date of the target age, a target current and/or previous address, or target phone listing; and

automatically determining by a multi-stage matching and/or elimination process, without uniquely identifying information on a target person in the source dataset, with substantial certainty that a target name of the target person corresponds with a particular unique individual in the general population, thereby identifying the target the person corresponding to the target name and delivering that determination.

Arndt expressly teaches:

generating a comprehensive public record dataset by combining multiple disparate public record databases, excluding the source dataset, of data of a general population including the target persons, the data of the general population including non-unique persons data containing records of non-uniquely identified persons not related to each other and having similar data, each record including one or more of a target name, a target age, a target age-date indicating an exact or approximate date of the target age, a target current and/or previous address, or target phone listing *(i.e. [0023] An individual applicant becomes a user or new member by accessing the web site, clicking on the "join" tab and proceeding through a series of drop down boxes, responding to question and data fields to provide the information required to perform the background check. The information includes for example, Full name, sign in ID Name, Creation and*

Confirmation of a user changeable password, Citizenship, Address, Residence (Previous Addresses), Birth date, Social Security Number, Drivers License Number, Credit Card information including type, billing name, billing address, card number, expiration date. The data is used to create a one time non accessible Member Data Table. Disclaimers and terms of service are incorporated into the pages. Terms of Service include privacy guidelines, policies and procedures for disputing information and appealing background findings, security and turn around time. Links to affiliated sites are also displayable); and

automatically determining by a multi-stage matching and/or elimination process, without uniquely identifying information on a target person in the source dataset, with substantial certainty that a target name of the target person corresponds with a particular unique individual in the general population, thereby identifying the target the person corresponding to the target name and delivering that determination *(i.e. [0025] Credit reports, criminal record checks, social security number and personal references are obtained from third party data bases and vendors. The results obtained are manually entered into a Member Results Table. The Member Data and Results tables are only linked via data query and joined by the Member identification code. Options for confirmation of identity via mailed, faxed or emailed photo facsimile of the driver's license, passport or other government identification document or via a check of the new Member's driver's license may also be used; [0026] FIG. 2 diagrams the process of back room verification of Member background information. The results Administrative Background Check Verification (130) using third-party sources are*

manually entered (135) to a Member Results Data Table (140). The results of the background information verification (130) and the Member Results Data Table (140) are only linked by data query and joined by a unique Member ID (125).

It would have been obvious to one of ordinary skill of the art having the teaching of Singhal and Arndt at the time the invention was made to modify the system of Singhal to include the limitations as taught by Arndt. One of ordinary skill in the art would be motivated to make this combination in order to seek background information in view of Arndt, as doing so would give the added benefit of providing a system for verifying an individual's identity and background on the Internet in a safe, confidential manner and wherein the extent and manner of information are controllable by the person whose identity and background is being verified as taught by Arndt.

Arndt implicitly teaches "automatically determining by a multi-stage matching and/or elimination process, without uniquely identifying information on a target person in the source dataset, with substantial certainty that a target name of the target person corresponds with a particular unique individual in the general population, thereby identifying the target the person corresponding to the target name and delivering that determination" as the results Administrative Background Check Verification (130) using third-party sources are manually entered (135) to a Member Results Data Table (140), [0026].

Singhal and Arndt, however, do not clearly state this limitation.

Mather teaches automatically determining by a multi-stage matching and/or elimination process, without uniquely identifying information on a target

person in the source dataset, with substantial certainty that a target name of the target person corresponds with a particular unique individual in the general population, thereby identifying the target the person corresponding to the target name and delivering that determination *(i.e. [0012] It is yet a further objective of the preferred embodiment to allow candidates to check and review background check information and to correct or remove incorrect information from public record searches)*.

It would have been obvious to one of ordinary skill of the art having the teaching of Singhal, Arndt, Mather at the time the invention was made to modify the system of Singhal, Arndt to include the limitations as taught by Mather. One of ordinary skill in the art would be motivated to make this combination in order to conduct individual background checks in view of Mather, as doing so would give the added benefit of providing a system for allowing candidates to check and review background check information and to correct or remove incorrect information from public record searches as taught by Mather.

As per claim 17, Singhal teaches an apparatus for delivering a non-uniquely identified name that substantially corresponds to a uniquely identified person, the apparatus comprising:

a first storage storing *(i.e. Identifier Database 38b, col. 7, line 21)* a private source dataset *(i.e. private data 25, col. 4, lines 35-41)*, not derived from public data sources of uniquely identified persons, each person identified by one or more of a globally unique identifier remaining same throughout life time of each

person, *(i.e. identifying data 332, See Fig. 3B; Sequence #1, See Fig. 3B; Examples of identifying data 322 include, a name, an address, a telephone number, a facsimile number, an e-mail address, a social security number, a credit card number, and/or a driver license number of the customer 20. Identifying data 322 may also include other data that can indirectly, independently identify the customer 20, such as a license plate number for a vehicle registered by the customer, or an alias, col. 7, lines 21-35; identifying data 332, See Fig. 3B)*, a source name *(i.e. a name, col. 7, lines 21-35)*, a source unique identifier *(i.e. a social security number, col. 7, lines 21-35)*, a source data of birth *(i.e. the date of birth of the user, col. 9, lines 7-16)*, or a source address *(i.e. an address, col. 7, lines 21-35; Referring to FIG. 3B, the information system 12 preferably stores any identifying data 322 of the customer 20 in the identifying database 38B of the storage device 26. Identifying data 322, as used herein, shall mean any information or data of the customer 20 that if used independently is sufficient to identify the customer 20 to a third party. Examples of identifying data 322 include, a name, an address, a telephone number, a facsimile number, an e-mail address, a social security number, a credit card number, and/or a driver license number of the customer 20. Identifying data 322 may also include other data that can indirectly, independently identify the customer 20, such as a license plate number for a vehicle registered by the customer, or an alias, col. 7, lines 21-35)*;

a second data storage *(i.e. Identifier Database 38A, col. 6, line 44)* storing a target dataset containing non-unique persons data *(i.e. anonymous identifier,*

col. 6, lines 45-55) derived from one or more of public, private, proprietary, restricted access, or customer-related datasets *(i.e. Customer database 38, col. 6, line 35)*, excluding the private source dataset *(i.e. Identifier Database 38B, col. 7, line 21)*, the non-unique data containing records of non-uniquely identified persons not related to each other and having similar data *(i.e. a form that does not identify the customer to the information system, col. 3, lines 10-18)*, each record including one or more a target name *(i.e. a name abbreviation of the user, col. 9, lines 1-16)*, a target age *(i.e. The calendar date 408 can be any date selected by the user, col. 9, lines 1-16)*, a target age-date *(i.e. the date of birth of the user, col. 9, lines 1-16* indicating an exact or approximate date of the target age *(i.e. As provided herein, a first element 408 can include the sub-elements of a calendar date. A second element 410 may be a class code of the user 20. A third element 412 may be in the form of a location code of the user 20. A fourth element 414 may be a name abbreviation of the user 20. A fifth element 416 can be a sequence code. The calendar date 408 can be any date selected by the user 20. The calendar date 408 may be a date in the future or a date in the past. Preferably, the calendar date is personal to the user 20 and easy to remember. For example, the calendar date 408 may be the date of birth of the user 20. The calendar date 408, preferably, is in the format of an eight character code of YYYY-MM-DD. The month may also be a three letter representation of the month. The year may also be a four letter representation of the animal that is used to represent a year in a Chinese calendar, col. 9, lines 1-16)*, a target current and/or previous address, or target phone listings; and

a processing unit, for a particular source person in the source dataset, automatically determining by a multi-stage matching and/or elimination process whether the particular source person corresponds to a particular target person in the target dataset and delivering that determination *(i.e. A method pursuant to the present invention includes the steps of (i) creating an anonymous identifier, (ii) using the anonymous identifier for transferring to, storing and anchoring private information in the information system, (iii) transferring to the information system a service request by the customer to receive a service from the service merchant, (iv) providing an optional privacy payment to the service merchant to pay for the service, and (v) making an anonymous delivery of the service from the service merchant to the customer. The information system includes an operating system that is operative with the processor to perform these steps, col. 2, line 65 to col. 3, line 9)*.

Singhal does not seem to teach:

a second data storage storing a target dataset containing non-unique persons data derived from one or more of public, private, proprietary, restricted access, or customer-related datasets, excluding the private source dataset, the non-unique data containing records of non-uniquely identified persons not related to each other and having similar data, each record including one or more a target name, a target age, a target age-date indicating an exact or approximate date of the target age, a target current and/or previous address, or target phone listings; and

a processing unit, for a particular source person in the source dataset, automatically determining by a multi-stage matching and/or elimination process whether the particular source person corresponds to a particular target person in the target dataset and delivering that determination.

Arndt teaches:

a second data storage storing a target dataset containing non-unique persons data derived from one or more of public, private, proprietary, restricted access, or customer-related datasets, excluding the private source dataset, the non-unique data containing records of non-uniquely identified persons not related to each other and having similar data, each record including one or more a target name, a target age, a target age-date indicating an exact or approximate date of the target age, a target current and/or previous address, or target phone listings *(i.e. [0023] An individual applicant becomes a user or new member by accessing the web site, clicking on the "join" tab and proceeding through a series of drop down boxes, responding to question and data fields to provide the information required to perform the background check. The information includes for example, Full name, sign in ID Name, Creation and Confirmation of a user changeable password, Citizenship, Address, Residence (Previous Addresses), Birth date, Social Security Number, Drivers License Number, Credit Card information including type, billing name, billing address, card number, expiration date. The data is used to create a one time non accessible Member Data Table. Disclaimers and terms of service are incorporated into the pages. Terms of Service include privacy guidelines, policies and procedures for disputing*

information and appealing background findings, security and turn around time. Links to affiliated sites are also displayable); and

a processing unit, for a particular source person in the source dataset, automatically determining by a multi-stage matching and/or elimination process whether the particular source person corresponds to a particular target person in the target dataset and delivering that determination *(i.e. [0025] Credit reports, criminal record checks, social security number and personal references are obtained from third party data bases and vendors. The results obtained are manually entered into a Member Results Table. The Member Data and Results tables are only linked via data query and joined by the Member identification code. Options for confirmation of identity via mailed, faxed or emailed photo facsimile of the driver's license, passport or other government identification document or via a check of the new Member's driver's license may also be used; [0026] FIG. 2 diagrams the process of back room verification of Member background information. The results Administrative Background Check Verification (130) using third-party sources are manually entered (135) to a Member Results Data Table (140). The results of the background information verification (130) and the Member Results Data Table (140) are only linked by data query and joined by a unique Member ID (125).*

It would have been obvious to one of ordinary skill of the art having the teaching of Singhal and Arndt at the time the invention was made to modify the system of Singhal to include the limitations as taught by Arndt. One of ordinary skill in the art would be motivated to make this combination in order to seek

background information in view of Arndt, as doing so would give the added benefit of providing a system for verifying an individual's identity and background on the Internet in a safe, confidential manner and wherein the extent and manner of information are controllable by the person whose identity and background is being verified as taught by Arndt.

Arndt implicitly teaches "a processing unit, for a particular source person in the source dataset, automatically determining by a multi-stage matching and/or elimination process whether the particular source person corresponds to a particular target person in the target dataset and delivering that determination" as the results Administrative Background Check Verification (130) using third-party sources are manually entered (135) to a Member Results Data Table (140), [0026].

Singhal and Arndt do not clearly state this limitation.

Mather teaches a processing unit, for a particular source person in the source dataset, automatically determining by a multi-stage matching and/or elimination process whether the particular source person corresponds to a particular target person in the target dataset and delivering that determination *(i.e. [0012] It is yet a further objective of the preferred embodiment to allow candidates to check and review background check information and to correct or remove incorrect information from public record searches).*

It would have been obvious to one of ordinary skill of the art having the teaching of Singhal, Arndt, Mather at the time the invention was made to modify the system of Singhal, Arndt to include the limitations as taught by Mather. One

of ordinary skill in the art would be motivated to make this combination in order to conduct individual background checks in view of Mather, as doing so would give the added benefit of providing a system for allowing candidates to check and review background check information and to correct or remove incorrect information from public record searches as taught by Mather.

As per claim 2, Singhal teaches a method according to claim 1, wherein the automatically determining comprises matching a target identifier in the target dataset with an identifier of the particular source person when the identifier of the particular source person is available, whereby the uniquely identified particular person is determined to correspond to the particular target person *(i.e. Referring to FIGS. 2 and 3C, the information system 12 preferably stores any non-identifying data 324 of the customer 20 in the non-identifying data database 38C. Non-identifying data 324, shall mean and include, any information or data of the customer 20 that if used independently is not sufficient to identify the customer 20 to a third party. Non-identifying data 324 can be any information or data of the customer 20 in which the identifying data 322 has been removed. As provided herein, the dissemination of the non-identifying data 324 to third parties will typically not harm or influence the customer 20 without the use in conjunction with any identifying data 322, col. 7, line 63 to col. 8, line 8)*.

As per claim 3, Singhal teaches a method according to claim 2, wherein the automatically determining further comprises matching the date of birth and

name of the particular source person with the particular target person based on the name, the target age, and the target age-date of the particular target person, whereby the uniquely identified particular person is determined to correspond to the particular target person *(i.e. As provided herein, a first element 408 can include the sub-elements of a calendar date. A second element 410 may be a class code of the user 20. A third element 412 may be in the form of a location code of the user 20. A fourth element 414 may be a name abbreviation of the user 20. A fifth element 416 can be a sequence code. The calendar date 408 can be any date selected by the user 20. The calendar date 408 may be a date in the future or a date in the past. Preferably, the calendar date is personal to the user 20 and easy to remember. For example, the calendar date 408 may be the date of birth of the user 20. The calendar date 408, preferably, is in the format of an eight character code of YYYY-MM-DD. The month may also be a three letter representation of the month. The year may also be a four letter representation of the animal that is used to represent a year in a Chinese calendar, col. 9, lines 1-16).*

As per claim 4, Singhal teaches a method according to claim 3, wherein the automatically determining further comprises matching the address of the particular source person with the address of the particular target person, whereby the uniquely identified particular person is determined to correspond to the particular target person *(i.e. The location code 412 can be any code selected by the person. Preferably, the location code 412 is the zip code of the address of the*

user 20. For example, the location code 412 can be a five digit numeric code as a zip code used in the United States. Alternately, the location code 412 may also be an alphanumeric code as used in some other countries, col. 9, lines 30-37).

As per claim 5, Singhal teaches a method according to claim 4, wherein the automatically matching of addresses further comprises determining that the particular source person and the particular target person both have an address common to a set of current/previous addresses of the particular source person, where the set of current/previous addresses are obtained separately from and keyed to the source dataset *(i.e. The location code 412 can be any code selected by the person. Preferably, the location code 412 is the zip code of the address of the user 20. For example, the location code 412 can be a five digit numeric code as a zip code used in the United States. Alternately, the location code 412 may also be an alphanumeric code as used in some other countries, col. 9, lines 30-37).*

As per claim 6, Singhal teaches a method according to claim 5, wherein the automatically determining further comprises determining a uniqueness of the source name of the particular source person, and based on the uniqueness, determining whether the source name corresponds to the target name of the particular target person *(i.e. Referring to FIGS. 2 and 3C, the information system 12 preferably stores any non-identifying data 324 of the customer 20 in the non-identifying data database 38C. Non-identifying data 324, shall mean and include,*

any information or data of the customer 20 that if used independently is not sufficient to identify the customer 20 to a third party. Non-identifying data 324 can be any information or data of the customer 20 in which the identifying data 322 has been removed. As provided herein, the dissemination of the non-identifying data 324 to third parties will typically not harm or influence the customer 20 without the use in conjunction with any identifying data 322, col. 7, line 63 to col. 8, line 8).

As per claim 9, Singhal teaches a method according to any of claims 1 through 8, wherein the target dataset comprises a set of officers or directors of publicly traded companies, wherein the source dataset comprises a set of potential market participants, and wherein the determining of a correspondence between the particular source person and the particular target person indicates a substantial likelihood that the particular source person is a market participant that is also an officer or director of a publicly traded company *(i.e. The merchant database 40 maintains data on all of the merchants 22 that interact with the information system 12. The merchant database 40 can store (i) a merchant identifier 51 and (ii) the merchant data 40A, e.g. the name, address, phone, facsimile, web page, and/or electronic mail address of the merchant together in one sub-database. Additionally, the merchant database 40 can store the merchant identifier 51 and a merchant/customer identifier 52 (described below under the heading Data storage/retrieval operation), col. 6, lines 24-34).*

As per claim 11, Singhal teaches a method according to claim 10, wherein the determining is based only on the target name and target age/address *(i.e. The calendar date 408, the class code 410, the location code 412, and personal abbreviation 414 are preferably arranged in a specific order. For example, the specific order can be the calendar date 408, the class code 410, the location code 412 and the personal abbreviation 414. This arrangement is preferred because people typically think of their birth date as being closest to them; then they may think what kind or class of person they are and where they are from and what they are called, col. 9, lines 46-54)*.

As per claim 12, Singhal teaches a method according to claim 10, wherein the determining is done without a key or identifier uniquely identifying the target person among the general population and by using the public record dataset to link the target person to the particular individual in the general population *(i.e. The Information system 12 receives the service results and forwards the service results to the customer 20. More specifically, the information system 12 uses the sequence number 330 to retrieve the electronic mail address of the customer 20. After retrieving the electronic mail address, the results are forwarded to the customer 20 via the customer interface 20A using the electronic mail address of the customer 20. Alternatively the results may be forwarded to the customer 20 using other ways, such mail using the post office or express mail, col. 16, lines 58-67)*.

As per claim 13, Singhal teaches a method according to claim 10, wherein the uniquely identifying information on a target person comprises a social security number or an identifier that serves as a proxy therefore *(i.e. In order to make it even less likely that two or more users 20 create the same anonymous identifier 320, the anonymous identifier 320 may also include the sequence code 416. The sequence code 416, for example, may be a four digit, character sequence that is appended after the personal abbreviation 414. The user 20 may choose any sequence code 416 that is easy to remember. For example, the sequence code 416 may be last four digits of the social security number, the last four digits of a telephone number, or any number that the user 20 can easily remember, col. 10, lines 5-14)*.

As per claim 14, Singhal teaches a method according to claim 10, wherein the determining is based on at least one of a date of birth of the particular individual, a degree of uniqueness of the target name, and a set of previous/former addresses of the particular individual *(i.e. The calendar date 408, the class code 410, the location code 412, and personal abbreviation 414 are preferably arranged in a specific order. For example, the specific order can be the calendar date 408, the class code 410, the location code 412 and the personal abbreviation 414. This arrangement is preferred because people typically think of their birth date as being closest to them; then they may think what kind or class of person they are and where they are from and what they are called, col. 9, lines 46-54)*.

As per claim 15, Singhal teaches a method according to any of claims 10 through 14, wherein the target persons comprise officers or directors of publicly traded companies *(i.e. The merchant database 40 maintains data on all of the merchants 22 that interact with the information system 12. The merchant database 40 can store (i) a merchant identifier 51 and (ii) the merchant data 40A, e.g. the name, address, phone, facsimile, web page, and/or electronic mail address of the merchant together in one sub-database. Additionally, the merchant database 40 can store the merchant identifier 51 and a merchant/customer identifier 52 (described below under the heading Data storage/retrieval operation), col. 6, lines 24-34)*.

As per claim 16, Singhal teaches a method according to claim 15, wherein the determining of a correspondence between the particular unique individual in the general population with the target name indicates a substantial likelihood that the particular unique individual is an officer or director of a publicly traded company *(i.e. The merchant database 40 maintains data on all of the merchants 22 that interact with the information system 12. The merchant database 40 can store (i) a merchant identifier 51 and (ii) the merchant data 40A, e.g. the name, address, phone, facsimile, web page, and/or electronic mail address of the merchant together in one sub-database. Additionally, the merchant database 40 can store the merchant identifier 51 and a merchant/customer identifier 52 (described below under the heading Data storage/retrieval operation), col. 6, lines 24-34)*

As per claim 18, Singhal teaches the method according to claim 1, wherein the private source dataset consists of customer data *(i.e. Customer database 38, col. 6, line 35)*.

As per claim 19, Singhal teaches the method according to claim 1, wherein the private source dataset is not stored on a portable device *(i.e. Identifier Database 38b, col. 7, line 21)*

As per claim 20, Singhal teaches the method according to claim 1, wherein determining whether the particular source person corresponds to a particular target person in the target dataset includes checking whether at least one of the source name, the source unique identifier, the source data of birth, and the source address of the uniquely identified person stored in the private source corresponds to the particular target person in the target dataset *(i.e. As provided herein, a first element 408 can include the sub-elements of a calendar date. A second element 410 may be a class code of the user 20. A third element 412 may be in the form of a location code of the user 20. A fourth element 414 may be a name abbreviation of the user 20. A fifth element 416 can be a sequence code. The calendar date 408 can be any date selected by the user 20. The calendar date 408 may be a date in the future or a date in the past. Preferably, the calendar date is personal to the user 20 and easy to remember. For example, the calendar date 408 may be the date of birth of the user 20. The calendar date 408, preferably, is in the format of an eight character code of*

YYYY-MM-DD. The month may also be a three letter representation of the month. The year may also be a four letter representation of the animal that is used to represent a year in a Chinese calendar, col. 9, lines 1-16).

As per claim 21, Singhal teaches the method according to claim 20, wherein said determining whether the particular source person corresponds to a particular target person in the target dataset includes a projected degree of accuracy *(i.e. Based on the range of possibilities of the elements 408-414 of the anonymous identifier 320, a very large number of anonymous identifiers 320 are possible. As an illustration, for the embodiment provided herein, the range of possibilities are: 9999 times for four digits of YYYY, 12 times for two digits MM of the month, 30 times for two digits DD of the day, 99,999 times for five digits of the numeric zip code, 26 times for one digit of the class code, and 26.times.26.times.26 times for three letters of a personal abbreviation. This equals a very, very large number greater than 1000 trillion. Therefore, the probability of two persons creating the same anonymous identifier 320 is believed to be less than 1/100 trillion, col. 9, line 59 to col. 10, line 5)* that is increase when checking whether more than one of the source name, the source unique identifier, the source sate of birth, and the source address of the uniquely identified person stored in the private source corresponds to the particular target person in the target dataset *(i.e. As provided herein, a first element 408 can include the sub-elements of a calendar date. A second element 410 may be a class code of the user 20. A third element 412 may be in the form of a location*

code of the user 20. A fourth element 414 may be a name abbreviation of the user 20. A fifth element 416 can be a sequence code. The calendar date 408 can be any date selected by the user 20. The calendar date 408 may be a date in the future or a date in the past. Preferably, the calendar date is personal to the user 20 and easy to remember. For example, the calendar date 408 may be the date of birth of the user 20. The calendar date 408, preferably, is in the format of an eight character code of YYYY-MM-DD. The month may also be a three letter representation of the month. The year may also be a four letter representation of the animal that is used to represent a year in a Chinese calendar, col. 9, lines 1-16).

Claims 7, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Singhal et al. (US Patent No. 6,938,022), in view of Arndt, Jeffrey A. et al. (US Pub No. 20050027672), in view of Mather, Robert et al. (US Pub No. 20040088173), and further in view of Tanner et al. (US Pub No. 20040243588).

As per claim 7, Arndt implicitly teaches a method according to claim 6, further comprising automatically finding one or more persons who have co-resided with the particular source person using another dataset *(i.e. Previous Addresses, [0012])*.

Singhal, Arndt. Mather do not clearly state this limitation.

Tanner teaches automatically finding one or more persons who have co-resided with the particular source person using another dataset *(i.e. The*

Person/Company name filter can identify at least four types of records: a Person Name, Person Record (PNPR), in which the record has a person's name and is a person's record; Person Name, Business Record (PNBR), in which the record has a person's name but is a business record; Business Name, Business Record (BNBR), in which the record has a business name and is a business record; and Business Name, Person Record (BNPR), in which the record has a business name but is a person's record, [0180]).

It would have been obvious to one of ordinary skill of the art having the teaching of Singhal, Arndt. Mather and Tanner at the time the invention was made to modify the system of Singhal, Arndt. Mather to include the limitations as taught by Tanner. One of ordinary skill in the art would be motivated to make this combination in order to administer customer inquiry requests for information in view of Tanner, as doing so would give the added benefit of when a third-party initiates a new account with a customer, a name or other information associated with the third-party can be part of an inquiry request that is automatically transmitted by the customer or a system associated with the customer as taught by Tanner ([0055]).

As per claim 8, Arndt implicitly teaches a method according to claim 7, wherein the automatically finding of one or more persons who have co-resided with the particular person is based on whether the one or more persons have lived at the particular person's source address for a predetermined period of time *(i.e. Previous Addresses, [0012])*.

Singhal, Arndt. Mather do not clearly state this limitation.

Tanner teaches automatically finding of one or more persons who have co-resided with the particular person is based on whether the one or more persons have lived at the particular person's source address for a predetermined period of time *(i.e. new daily grey file, [0097])*, and is based on whether the one or more persons have lived at two consecutive current/previous addresses in the set of current/previous addresses of the particular source person *(i.e. any other entity that desires to track information related to a particular person, name, [0056])*.

It would have been obvious to one of ordinary skill of the art having the teaching of Singhal, Arndt. Mather and Tanner at the time the invention was made to modify the system of Singhal, Arndt. Mather to include the limitations as taught by Tanner. One of ordinary skill in the art would be motivated to make this combination in order to administer customer inquiry requests for information in view of Tanner, as doing so would give the added benefit of when a third-party initiates a new account with a customer, a name or other information associated with the third-party can be part of an inquiry request that is automatically transmitted by the customer or a system associated with the customer as taught by Tanner ([0055]).

Response to Arguments

Applicant's arguments filed 03/30/09 have been fully considered but they are not persuasive.

1. The prior art, as combined, teaches "accessing a private source dataset, not derived from public data sources, of uniquely identified persons, each person identified by one or more of a globally unique identifier remaining same throughout lifetime of each person, a source name, a source unique identifier, a source date of birth, or a source address" as follows:.

Singhal teaches "one or more of a globally unique identifier limitation equals to the name, address, phone, facsimile ..." *(i.e. The merchant database 40 maintains data on all of the merchants 22 that interact with the information system 12. The merchant database 40 can store (i) a merchant identifier 51 and (ii) the merchant data 40A, e.g. the name, address, phone, facsimile, web page, and/or electronic mail address of the merchant together in one sub-database. Additionally, the merchant database 40 can store the merchant identifier 51 and a merchant/customer identifier 52 (described below under the heading Data storage/retrieval operation, col. 6, lines 25-36).*

Furthermore, as detailed in the office action, this limitation is also taught by Arndt, Mather (a new ground of rejection).

2. The prior art, as combined, teaches "accessing a target dataset containing non-unique persons data derived from one or more public, private, proprietary, restricted access, or related datasets, excluding the private source dataset, the non-unique persons data containing records non-uniquely identified persons not related to each other and having

similar data, each record including one or more target name, a target age, a target age-date indicating an exact or approximate date of the target age, a target current and/or previous address, or target phone listings" as follows:

Singhal teaches similar data limitation equals to address, phone, facsimile …" *(i.e. The merchant database 40 maintains data on all of the merchants 22 that interact with the information system 12. The merchant database 40 can store (i) a merchant identifier 51 and (ii) the merchant data 40A, e.g. the name, address, phone, facsimile, web page, and/or electronic mail address of the merchant together in one sub-database. Additionally, the merchant database 40 can store the merchant identifier 51 and a merchant/customer identifier 52 (described below under the heading Data storage/retrieval operation, col. 6, lines 25-36).*

public, private, proprietary, restricted access, or related datasets, excluding the private source dataset equals to Transaction History Database 36, Identifier Database 38A, Customer Database 38, Merchant Database 40, col. 6, lines 8-55, Identifying Database 38B, col. 7, lines 20-62, Non-Identifying Database 38C, col. 7, line 63 to col. 8, line 49.

However, this limitation is also taught by Arndt, Mather (a new ground of rejection).

3. The prior art, as combined, teaches "each record including one or more target name, a target age, a target age-date indicating an exact or

approximate date of the target age, a target current and/or previous address, or target phone listings" as follows:

Singhal teaches this limitation at col. 6, lines 25-36 *(i.e. The merchant database 40 maintains data on all of the merchants 22 that interact with the information system 12. The merchant database 40 can store (i) a merchant identifier 51 and (ii) the merchant data 40A, e.g. the name, address, phone, facsimile, web page, and/or electronic mail address of the merchant together in one sub-database. Additionally, the merchant database 40 can store the merchant identifier 51 and a merchant/customer identifier 52 (described below under the heading Data storage/retrieval operation, col. 6, lines 25-36)*

However, this limitation is also taught by Arndt, Mather (New Ground Rejection).

4. The prior art, as combined, teaches "for a particular source person in the source dataset, and in accordance with accessing the target dataset, automatically determining by a multi-stage matching and/or elimination process whether the particular source person corresponds to a particular target person in the target dataset and delivering the determination" as follows:

This limitation is taught by Singhal at col. 8, lines 9-24 *(i.e. Examples of non-identifying data 324 can include (i) custom tailor information 302 such as the sex, height, weight, and body dimensions of the customer 20 to support custom tailoring and/or clothing rental, (ii) tax related information 304 such as income,*

deductions and other data that will support the preparation of a tax related document, (iii) loan application data 306 such as income, debts, obligations, assets and credit rating that will support the preparation of a loan application, (iv), medical records 308 such the medical history, visit dates, diagnosis, and treatment that will support a medical insurance application and/or diagnosis of an ailment (v) motor vehicle records 310 such as the type of car, age, miles driven, zip code, storage information to support a vehicle insurance quote, and (vi) financial records 312 such as bank records, bank accounts and loan accounts that will support a loan application, col. 8, lines 9-24).

However, this limitation is also taught by Arndt, Mather (New Ground Rejection).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James K. Trujillo, can be reached at (571) 272-3677. The fax number to this Art Unit is (571)-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Miranda Le/
Primary Examiner, Art Unit 2159